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7 *Sheriff Kevin McMahill*

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA, SOUTHERN DIVISION

10 ***

11 HABIB ABDULKARIM,

12 Plaintiff,

13 vs.

14 SHERIFF McMAHILL TRINITY FOOD
SERVICE;

15 Defendants.
16

CASE NO. 2:22-cv-2127-APG-VCF

**~~PROPOSED~~ DISCOVERY PLAN AND
SCHEDULING ORDER**

17 Plaintiff and Defendant, by and through their counsel of record, hereby submit this
18 Discovery Plan and Scheduling Order:

19 On May 5, 2023 Defendant filed its Answer.

20 1. **Meeting**. Plaintiff represents himself in this matter. To date we have not been able
21 to contact the Plaintiff. A copy of this proposed Scheduling Order has been sent to Plaintiff via
22 U.S. Mail for his approval and signature.

23 2. **Pre-Discovery Disclosures**. The parties will submit their documents in a timely
24 manner.

25 3. **Discovery Plan**. The parties jointly propose to the Court the following discovery
26 plan:

27 (a) **Subject of Discovery**. Discovery will be needed on the following
28 subjects:

1 Discovery will be needed on all of the claim and defenses in this
 2 matter and all matters within the scope of Rule 26 of the Federal
 3 Rules of Civil Procedure.

4 (b) Discovery Cut-Off Date(s). Discovery will take 180 days, measured from,
 5 May 5, 2023. All discovery must be commenced in time to be completed
 6 by *Wednesday, November 1, 2023*.

7 (c) FRCP 26(a)(2) Disclosures (Experts). Disclosure of experts shall proceed
 8 as follows: Plaintiff and Defendants shall disclose their experts to each
 9 other at least sixty (60) days before the discovery cut-off date, by *Friday,*
 10 *September 1, 2023*, which is sixty-one 61 days before discovery cut-off.
 11 Plaintiff and Defendants shall disclose their rebuttal experts at least thirty
 12 (30) days after the initial date for disclosure of experts by *Monday, October,*
 13 *2023*, which is thirty-one (31) days after the initial expert disclosure.
 14 Further each party agrees to make their experts available for deposition, and
 15 facilitate same, prior to discovery cut-off.

16 (d) Alternative Dispute Resolution and Case Disposition. Pursuant to LR 26-
 17 1(b)(8) and FRCP 73, the parties discussed trial by a magistrate judge and
 18 the possibility of alternative dispute resolutions and the Short Trial
 19 Program; the Plaintiff and the Defendant do not agree that any of the
 20 foregoing are appropriate for this case.

21 (e) FRCP 26-1(b)(9) – Electronic Evidence. The parties certify that they have
 22 discussed whether they intend to present evidence in electronic format to
 23 jurors for the purposes of jury deliberation. Although not known at this
 24 time which exhibits will be electronically presented, the parties stipulate
 25 that they will provide discovery in an electronic format compatible with the
 26 Court's electronic jury evidence display system. The parties stipulate that
 27 they will contact the courtroom administrator for instructions about how to
 28 prepare evidence in an electronic format and other requirements for the

Court's electronic jury evidence system.

4. **Other Items.**

- (a) Interrogatories and depositions. The parties agree to the customary total number of interrogatories of 25 per party; the parties may agree to more interrogatories by mutual agreement or application to the Court. The parties also agree to no more than ten (10) depositions by Plaintiff and no more than ten (10) depositions by Defendants as provided in Rule 30(a)(2)(A)(i). However, the parties may agree to more depositions by mutual agreement or application to Court.
- (b) Amending the Pleadings and Adding Parties. The parties have until *Thursday, August 3, 2023*, to file any motions to amend the pleadings or to add parties. This is ninety (90) days prior to the discovery cut-off date.
- (c) Settlement. The parties agree to confer prior to expert depositions to discuss settlement options regarding any and all parties, including any new parties.
- (d) Court Conference. The parties do not request a conference with the Court before entry of the scheduling order.
- (e) Later Appearing Parties. A copy of this discovery plan and scheduling order shall be served on any person served after it is entered, or, if additional defendants should appear, within five (5) days of their first appearance. This discovery plan and scheduling order shall apply to such later-appearing parties, unless the Court, on motion and for good cause shown, orders otherwise.
- (f) Dispositive Motions. The parties shall have until *Friday, December 1, 2023*, to file dispositive motions. This does not exceed the outside limit of thirty (30) days following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing dispositive motions.
- (g) Pretrial Order. The pretrial order shall be filed by *Tuesday, January 2,*

2024, which is not more than thirty-two (32) days after the date set for filing dispositive motions in the case. This date is suspended if the dispositive motions are timely filed. In such a case, the pretrial order shall be filed thirty (30) days after the Court files an Order on any dispositive motions. The disclosures required by FRCP 26(a)(3) shall be made in the joint pretrial order.

- (h) Extension or Modification of the Discovery Plan and Scheduling Order. LR 26-4 governs modifications or extension of this discovery plan and scheduling order. Any stipulation or motion must be made not later than twenty-on (21) days before the subject deadline and comply fully with LR 26-4

Activity	Date
Amend Pleadings	<i>Thursday, August 3, 2023</i>
Expert Disclosures	<i>Friday, September 1, 2023</i>
Rebuttal Expert Disclosures	<i>Monday, October 2, 2023</i>
Discovery Cut-Off Date	<i>Wednesday, November 1, 2023</i>
Dispositive Motions	<i>Friday, December 1, 2023</i>
Pretrial Order	<i>Tuesday, January 2, 2024</i>

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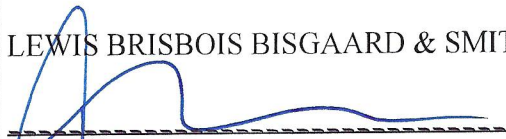
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1 APPROVED AS TO FORM AND CONTENT.

2 DATED this 1 day of June, 2023.

DATED this ___ day of _____, 2023.

3 LEWIS BRISBOIS BISGAARD & SMITH

4 
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6 Nevada Bar No. 3062

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8 Nevada Bar No. 14198

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10 Las Vegas, Nevada 89118

11 Attorneys for Defendant

12 Sheriff Kevin McMahon


HABIB ABDULKARIM

9901 W. Sahara Avenue

#2089

Las Vegas, Nevada 89117

Plaintiff in Proper Person

13 ORDER

14 IT IS SO ORDERED

15 DATED this 9th day of June, 2023.

16 
17 UNITED STATES MAGISTRATE JUDGE